

# DECISION



25128  
THE COMPTROLLER GENERAL  
OF THE UNITED STATES  
WASHINGTON, D.C. 20548

FILE: B-210689

DATE: May 12, 1983

MATTER OF: Wedlake Services

## DIGEST:

Protest that solicitation was ambiguous as to the manner in which items were to be bid is dismissed as academic because, even using intended bid of protester, bid is not low.

Wedlake Services (Wedlake) protests that the bidding schedule in invitation for bids (IFB) No. F33601-83-B0004, issued by the Department of the Air Force (Air Force), was ambiguous and, therefore, the IFB should be canceled and the requirement resolicited.

The protest is dismissed as academic.

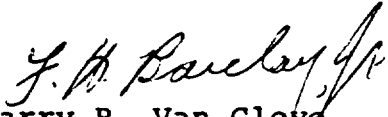
The solicitation was for full food services management for a dining hall located at Wright-Patterson Air Force Base, Ohio. Bidders were to bid on a basic year and 2 option years.

Wedlake's bid prices for the basic year are \$470,300 for 0001AA, \$470,096.55 for 0001AB, \$369 for 0002, and \$28,800 for 0003. These prices were added for a total basic year bid of \$969,565.55. Wedlake's option years' prices followed the same pattern. Wedlake protests that the solicitation did not clearly state that the Air Force intended to pay a combination of line items 0001AA, 0001AB, 0002, and 0003. It therefore claims to have submitted its bid in the same fashion as it had in past solicitations and it appears Wedlake expected to be paid only for 0001AA or 0001AB. Wedlake claims it actually intended to bid \$470,557.55 for the basic year.

Even assuming Wedlake is correct regarding its misinterpretation of the solicitation and intended bid price, it was not prejudiced, as it would not be the low

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evaluated bidder (basic contract plus 2 option years) in any event. Therefore, the protest is academic and is dismissed.

*for*   
Harry R. Van Cleve  
Acting General Counsel